

REMARKS

Claims 1-8 are pending in this application; claims 1, 2, and 4-8 being independent. In light of the remarks contained herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 5 and 8 under 35 U.S.C. § 103(a) as being unpatentable over *Monroe et al.* (USP 6,181,954) in view of *Kita* (USP 6,263,218). Applicant wishes to thank the Examiner for noting the allowability of claims 1-4, 6, and 7.

Examiner Interview

On September 8, 2003, Applicant faxed to the Examiner an Applicant Initiated Interview Request Form requesting an interview to discuss the Examiner's rejection of claims 5 and 8. The Examiner has agreed to conduct an Interview with the Applicant. Applicant respectfully requests that the Examiner not take any action on this Reply After Final until such interview has been conducted. Applicant further requests the Examiner contact the Applicant to schedule a particular date to conduct the Interview.

Claim Rejections - 35 U.S.C. § 103

With regard to the Examiner's rejection of claims 5 and 8 under 35 U.S.C. § 103(a) as being unpatentable over *Monroe et al.* in view of *Kita*, Applicant respectfully traverses these rejections.

The Examiner admits that *Monroe et al.* fails to disclose use of an incoming-image alert generating unit for issuing an incoming call alert when data has been received. The Examiner relies on the disclosure of *Kita* to teach an incoming alert generating unit for issuing an incoming signal alert when data has been received, citing to the Abstract and Fig. 1.

It is respectfully submitted that *Kita* teaches an incoming calling system to notify the user of an incoming call to a radio portable terminal of a mobile communication unit. Specifically, *Kita* teaches at col. 4, lines 24-35:

Moreover, when incoming for calling portable telephone 21 is received by portable telephone 21, incoming notification signal 25 is output from incoming notification signal transmitter 24 secured to portable telephone 21 by the jack and received by card-type incoming notification signal receiver 26 of a user of portable telephone 21 or wrist-type incoming notification signal receiver 27 set to the wrist of the user, sound or vibration is produced by a sound output buzzer or weight rotational motor included in receiver 26 or 27, and it notified to the user that calling reaches portable telephone 21.

In contrast, the present invention as set forth in claim 5 recites, *inter alia*, an image processing unit capable of data communication with a mobile telephone and of image output, said mobile telephone being capable of communicating with a communication apparatus via a network, the image processing unit comprising an incoming-image alert generating unit for issuing an

incoming-call alert when data that has been received by the data receiving unit represents image data. It is respectfully submitted that Kita fails to teach or suggest the incoming alert generating unit for issuing an incoming-call alert. As such, it is respectfully submitted that Kita fails to cure the deficiencies of the teachings of *Monroe et al.*, assuming these references are combinable, which Applicant does not admit. As such, it is respectfully submitted that claim 5 is not obvious over *Monroe et al.* in view of *Kita*.

It is respectfully submitted that claim 8 contains elements similar to those discussed above with regard to claim 5, and, thus, claim 8 is allowable based upon the reasons set forth above with regard to claim 5.

Conclusion

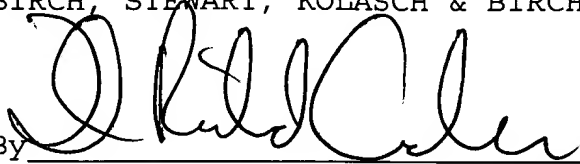
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinnet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Appl. No. 09/578,679


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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